

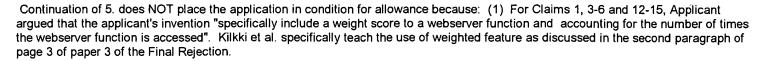
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,320	09/06/2000	Douglas G. Delany		9073
25253	7590 09/10/2003			
IBM CORPORATION			EXAMINER	
15450 SW K	PT, ED02-905 OLL PARKWAY		SHIH, SALLY ART UNIT PAPER NUMBER	
BEAVERTO	N, OR 97006-6063			
			3624	
			DATE MAILED: 00/10/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

			$N \subset N$			
	Application No.	Applicant(s)				
* Advisory Action	09/656,320	DELANY ET AL.				
	Examiner	Art Unit				
	Sally Shih	3624	_ 			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 08 August 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. PERIOD FOR REPLY [check either a) or b)] a) The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee						
nave been filed is the date for purposes of determining the period of 37 CFR 1.17(a) is calculated from: (1) the expiration date of the should be above, if checked. Any reply received by the Office later than the parned patent term adjustment. See 37 CFR 1.704(b). 1. A Notice of Appeal was filed on Appearage.	ortened statutory period for reply originally s nree months after the mailing date of the fina	et in the final Office action; or (2 al rejection, even if timely filed, n	2) as set forth in			
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be ente						
(a) they raise new issues that would require		ch (see NOTE below);				
(b) they raise the issue of new matter (see f	•					
(c) they are not deemed to place the applicationsissues for appeal; and/or	ation in better form for appeal by	materially reducing or si	mplifying the			
(d) they present additional claims without c	canceling a corresponding number	of finally rejected claim	IS.			
3. Applicant's reply has overcome the following	reiection(s):					
4. Newly proposed or amended claim(s) canceling the non-allowable claim(s).	•	a separate, timely filed	amendment			
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ requapplication in condition for allowance because		considered but does NO	T place the			
6. The affidavit or exhibit will NOT be considered raised by the Examiner in the final rejection.	ed because it is not directed SOL	ELY to issues which wer	e newly			
7. For purposes of Appeal, the proposed amend explanation of how the new or amended claim.	dment(s) a) will not be entered	The state of the s	and an			
The status of the claim(s) is (or will be) as fo	llows:					
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected: <u>1-17</u> .			:			
Claim(s) withdrawn from consideration:			,			
8. The proposed drawing correction filed on	is a)□ approved or b)□ di	sapproved by the Exami	iner.			
9. \square Note the attached Information Disclosure Sta	atement(s)(PTO-1449) Paper No	(s)				
10. Other:						



Applicant then argued that it was not obvious to combine the two references cited, Zhang et al and Kilkki et al. because Zhang et al. did not provide a motivation for the modification. In addition of being specifically taught in a reference, a person of ordinary skill in the art can also provide such motivational statement. A motivation is not always required to be provide by a reference. An Examiner is considered a person of ordinary skill in the art.

(2) For Claims 2, 7-11, 16-17 Applicant argued that Zhang et al. based its factor on duration, not function. To the contrary, Zhang et al. teach a method and apparatus for providing computer network access point the capability of multiple-level accounting. The apparatus provides for "accounting start and stop requests based on various events that needed to be accounted" (Please see at least abstract). These "various events" are defined as functions. Accordingly, Zhang et al. teach duration and function.

HANI M. KAZIMI
PRIMARY EXAMINER